

**MINUTES OF THE
POLITICAL SUBDIVISIONS INTERIM COMMITTEE**
Wednesday, November 14, 2007 – 9:00 a.m. – W130 House Building

Members Present:

Sen. Dennis E. Stowell, Senate Chair
Rep. Fred R Hunsaker, House Chair
Sen. Fred J. Fife
Sen. Michael G. Waddoups
Rep. Sheryl L. Allen
Rep. Tim M. Cosgrove
Rep. Bradley M. Daw
Rep. Gage Froerer
Rep. Kerry W. Gibson
Rep. Richard A. Greenwood
Rep. Christopher N. Herrod
Rep. Christine A. Johnson
Rep. Brad King
Rep. Jennifer M. Seelig
Rep. R. Curt Webb
Rep. Carl Wimmer

Members Absent:

Sen. Sheldon Killpack

Staff Present:

Mr. Joseph Wade, Policy analyst
Mr. Robert H. Rees, Associate General Counsel
Ms. Wendy L. Bangerter, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Dennis Stowell called the meeting to order at 9:15 a.m.

MOTION: Rep. Johnson moved to approve the minutes of the October 17, 2007 meeting. The motion passed unanimously. Rep. Herrod and Rep. Seelig were absent for the vote.

2. Quality Growth Commission Report

Mr. John Bennett, Executive Director, Quality Growth Commission, distributed and reviewed the "State of the Quality Growth Commission and Quality Growth in Utah Report." He reported on several projects being conducted throughout the state and the LeRay McAllister Critical Land Conservation Fund. He explained the self-assessment tool they call "Super Tool" now available to give cities and counties access to several resources for land and ordinance planning. He reviewed the commission's budget needs.

3. Local Issues Task Force Report

Sen. Carlene Walker, Co-Chair, Local Issues Task Force, and Mr. Gary Crane, Layton City Attorney, reported on the efforts of the Local Issues Task Force during the 2007 interim and gave the recommendations from that Task Force regarding forms of municipal government. 2008 General Session, draft legislation, "Municipal Government Amendments," "Adopted Guiding Principles," and "Overview of Proposed Forms of Municipal Government" were distributed to the Committee.

Mr. Rees assisted in explaining the bill and the "Overview of Proposed Forms of Municipal Government" chart, which was also distributed to committee members.

Mr. Gary Crane, Layton City attorney, expressed appreciation for the work of the Task Force. He emphasized that the bill clarifies the issue of forms of government for the voters and gives them the voice and flexibility to choose their municipal form of government.

MOTION: Rep. King moved to adopt 2008 General Session draft legislation, "Municipal Government Amendments" as a committee bill. The motion passed unanimously. Sen. Waddoups was absent for the vote.

4. Special Districts Subcommittee Report

Mr. Rees presented a power point presentation showing the goals and efforts of the Subcommittee for the past ten years. He reviewed some of the changes made by 2007 General Session H.B. 67, "Special and Local Districts Amendments" and further changes made by 2008 General Session draft legislation, "Limited Purpose Local Government Entities Revisions."

The Committee discussed additional changes that could be made.

Sen. Waddoups and Rep. Herrod expressed some concerns when a publicly-created entity competes with a private entity.

MOTION: Rep. Herrod moved to amend 2008 General Session draft legislation, "Limited Purpose Local Government Entities Revisions" by deleting line 831.

Mr. Mark Anderson, General Counsel for the Utah Association of Special Districts, expressed concern for the amendment and counseled the Committee to take time to study the issue further under the proper perspective.

Mr. Crane agreed with Mr. Anderson's concerns and cautioned the Committee to consider the broad impacts of that amendment, which could adversely affect worthy entities.

The motion failed with Sen. Waddoups, Rep. Daw, Rep. Froerer, Rep. Greenwood, Rep. Herrod, and Rep. Wimmer voting in favor. Rep. Allen and Rep. King were absent for the vote.

Mr. Rees continued reviewing the bill and the proposed changes from the subcommittee.

MOTION: Rep. Froerer moved to adopt 2008 General Session draft legislation, "Limited Purpose Local Government Entities Revisions" as a committee bill. The motion passed with Sen. Waddoups, Rep. Herrod, and Rep. Wimmer voting in opposition. Rep. Gibson, Rep. Johnson, and Rep. Seelig were absent for the vote.

5. Process for Incorporation of a Town

Mr. Rees distributed a flow sheet, "Process to Incorporate a Town."

Sen. Dennis Stowell explained the process for incorporation of a town and reviewed the discussion and changes made since the committee's discussions in the June, July, and October, 2007 committee meetings.

MOTION: Rep. Allen moved to adopt 2008 General Session draft legislation, "Municipal Incorporation Amendments," as a committee bill. The motion passed unanimously. Rep. Gibson, Rep. Johnson, and Rep. King were absent for the vote.

6. Local Referenda Issues

Rep. Webb withdrew this item for discussion.

7. Government Boundary Changes

This item was not discussed.

8. Administrative Penalties for Errors in Candidate Campaign Reporting

Rep. Sheryl Allen explained 2008 General Session draft legislation, "Campaign Report Amendments," which would modify provisions of the Campaign and Financial Reporting Requirements chapter of the Election Code. She then distributed and explained an amendment to the bill.

Mr. Michael Cragun, Office of the Lt. Governor, assisted in explaining the bill.

MOTION: Rep. Allen moved to adopt the following amendment:

1. Page 13, Line 390: After line 390, insert:
"(4) If a person is removed from the ballot due to the person's failure to timely file the financial statement, the election officer shall not assess a fee for the late financial statement under this section."

The motion passed unanimously. Sen. Waddoups Rep. Froerer, Rep. Gibson, Rep. King, and Rep. Wimmer were absent for the vote.

MOTION: Rep. Johnson moved to adopt, as a committee bill, 2008 General Session draft legislation, "Campaign Report Amendments," as amended. The motion passed unanimously. Sen. Waddoups, Rep. Froerer, Rep. Gibson, Rep. King, and Rep. Wimmer were absent for the vote.

9. Public Water Protection

Rep. Sylvia Anderson explained changes made to 2008 General Session draft legislation, "Safe Drinking Water Revisions," since the October discussion.

Mr. Dale Pearson, Executive Director, Rural Water Association of Utah, spoke in favor of the legislation.

Ms. Kate Johnson, Department of Environmental Quality, Division of Drinking Water, also spoke in favor of and offered support for the bill.

MOTION: Rep. Cosgrove moved to adopt 2008 General Session draft legislation, "Safe Drinking Water Revisions," as a committee bill. The motion passed unanimously. Sen. Waddoups, Rep. Froerer, Rep. Gibson, and Rep. King were absent for the vote.

10. Other Items / Adjourn

MOTION: Rep. Wimmer moved to adjourn the meeting. The motion passed unanimously. Sen. Waddoups, Rep. Froerer, Rep. Gibson, and Rep. King were absent for the vote.

Chair Stowell adjourned the meeting at 11:35 a.m.